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BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Union Of New York And New Jersey, Local No. 7
Of the International Union of Bricklayers and Allied
Craftworkers

In Re:

KIMO TILE @ MARBLE, LLC d/b/a KIMO TILE
& MARBLE, LLC,

Debtor.

KIMO TILE @ MARBLE, LLC d/b/a KIMO TILE
& MARBLE, LLC,

Plaintiff,

v.

TILE SETTERS AND TILE FINISHERS UNION
OF NEW YORK AND NEW JERSEY, LOCAL NO.
7 OF THE INTERNATIONAL UNION OF
BRICKLAYERS AND ALLIED
CRAFTWORKERS; and TRUSTEES OF THE
LOCAL 7 TILE INDUSTRY WELFARE FUND,
TRUSTEES OF THE LOCAL 7 TILE INDUSTRY
ANNUITY FUND, TRUSTEES OF THE TILE
LAYERS LOCAL UNION 52 PENSION FUND,
TRUSTEES OF THE LOCAL 7 TILE INDUSTRY
RETIREE WELFARE FUND, TRUSTEES OF THE
LOCAL 7 TILE INDUSTRY VACATION FUND,
TRUSTEES OF THE LOCAL 7 TILE INDUSTRY

Chapter 11

Case No.: 24-20009-JNP

Adv. Proc. No.: 25-01226-JNP

SUPPLEMENTAL FUND, TRUSTEES OF THE LOCAL 7 TILE INDUSTRY PROMOTIONAL FUND, TRUSTEES OF THE LOCAL 7 TILE INDUSTRY TRAINING FUND, TRUSTEES OF THE LOCAL 7 TILE INDUSTRY BUILDING FUND, TRUSTEES OF THE LOCAL 7 TILE INDUSTRY DEFENSE FUND, TRUSTEES OF THE LOCAL 7 TILE INDUSTRY LOCAL POLITICAL ACTION COMMITTEE, TRUSTEES OF THE BRICKLAYERS & TROWEL TRADES INTERNATIONAL PENSION FUND, THE INTERNATIONAL MASONRY INSTITUTE, AND THE TRUSTEES OF THE BRICKLAYERS AND ALLIED CRAFTWORKERS POLITICAL ACTION COMMITTEE,

Defendants.

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the Defendant's Memorandum of Law in Support of its Motion to Dismiss, the Declaration of Thomas P. Keane, Esq., with Exhibits in Support, the Affidavit of Chris Avallone with Exhibits in Support, sworn to on 18th day of July, 2025, and all prior papers and proceedings herein, Defendant Union will move this Court, before the Honorable Jerrold N. Poslusny, at the United States Bankruptcy Court for the District of New Jersey, 400 Cooper Street, Camden, New Jersey 08101, on August 22, 2025, for an Order Dismissing Plaintiff's Verified Complaint for Lack of Subject Matter Jurisdiction and for Failure to State a Claim on Which Relief can be Granted, and for other such relief as the Court may deem just and proper.

Please take further notice that pursuant to D.N.J. LBR 9013-2, any opposition to a motion must be filed and served no later than 7 days before the hearing date.

Dated: Woodbury, New York
July 18, 2025

COLLERAN, O'HARA & MILLS L.L.P.
Attorneys for Defendant Union



By: _____
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